

# CRIME AWARENESS NEWSLETTER

Volume 00-01

February 2000

Courtesy of the

**Department of Defense  
Office of the Inspector General  
Defense Criminal Investigative Service  
Central Field Office**



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## Indictments

### Conversion

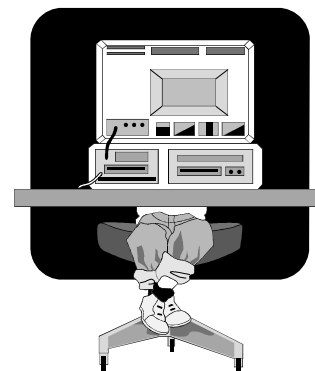
Thomas Gould entered into a pre-trial diversion program and will be required to perform 50 hours of community service and placed on 12 months supervised release. Gould, president of Great Lakes Contracting, Incorporated (Great Lakes), admitted using a Department of Defense (DoD) armored track vehicle to perform work on a commercial contract. Great Lakes previously pled guilty to wrongful conveyance of Government property and paid a \$10,000 fine. The armored vehicle was originally obtained by the Western New York Military Museum under

the U.S. Army Tank and Automotive Command's donation program, which provides surplus military vehicles to museums for use as display only. At the time the armored vehicle was procured, Gould was the curator of the Western New York Military Museum. The Syracuse Resident Agency (RA), conducted the investigation with the Federal Bureau of Investigations (FBI), the Bureau of Alcohol, Tobacco and Firearms (ATF), the U.S. Army Criminal Investigative Command (USACIDC) and the Defense Logistics Agency (DLA) Criminal Investigations Activity.

### Drugs

An information was filed against Barney Dale Chrisley, Aransas Pass, TX, charging him with illegally distributing a controlled substance. Chrisley provided approximately one pound of marijuana to an employee of Bay Ship Management, Inc. (Bay Ship), Englewood Cliffs, NJ, in an effort to receive favorable treatment in the awarding of subcontracts issued by Bay

Ship. These subcontracts were for repair work aboard Government vessels managed by Bay Ship. This charge is a result of information developed during Operation Octanova, an investigation into corruption and fraud within the maritime industry. The New Orleans RA conducted the investigation with the FBI and the Naval Criminal Investigative Service (NCIS).



### Computer Intrusions

An information was filed that charges Ikenna Ifih, Boston, MA, with one count each of interfering with a DoD computer system, computer fraud, and intercepting electronic communications. An investigation was conducted into Ifih's alleged computer hacking into numerous computers around the United States after law enforcement authorities learned of an April 1999 illegal intrusion into a computer owned by the Zebra

Marketing Online Service (ZMOS), Bainbridge Island, WA, causing significant damage to the ZMOS computer system. The intrusion initially appeared to originate from a DoD computer in Virginia. However, the DoD computer was used in an attempt to conceal the hacker's true identity. During May 1999, Iffih is alleged to have illegally accessed a computer owned by the National Aeronautical Space Administration (NASA) in Maryland. Once connected to the NASA computer, Iffih used it to launch attacks against other computer systems, to include the May 1999 defacement of the Department of the Interior (DOI) Web page. On August 25, 1999, special agents from the DCIS, NASA, the FBI, the Immigration and Naturalization Service and the DOI executed a search warrant of Iffih's residence. Iffih was later arrested on charges relating to his computer hacking activities. The Columbus RA is conducting the investigation with the FBI and NASA.

#### **False Claims**

A one-count information was filed against Koteswara Attaluri, president of Allied Environmental Services, Incorporated (AES), an Overland Park, KS, environmental consulting firm, charging him with making a false claim to the U.S. Government involving the unpermitted disposal of petroleum-impacted wastewater into Class II injection

wells in Oklahoma. The unauthorized use of injection wells violates the Federal Clean Water Act. The AES removed underground storage tanks and the associated petroleum-impacted wastewater from various military facilities in Kansas and Missouri. Attaluri allegedly arranged with three separate companies to have the wastewater transported to Oklahoma and injected into disposal wells in Cushing, Beggs and Lincoln County, OK. The alleged activity took place from November 1994 through October 1995, and involved the improper disposal of over 100,000 gallons of petroleum-impacted wastewater. Attaluri, AES and another individual were previously charged and convicted in the Northern District of Oklahoma of conspiring to transport hazardous waste without a manifest, discharging pollutants into waters of the U.S., and committing mail and wire fraud. The Tulsa Post of Duty (POD), is conducting the investigation jointly with the Environmental Protection Agency (EPA) and the Oklahoma Department of Environmental Quality.

#### **Health Care Fraud**

Nelson De Jesus Ramos-Santiago was arrested and taken into custody pursuant to a warrant issued following his indictment on charges of health care fraud, mail fraud and criminal forfeiture. Ramos allegedly defrauded the TRICARE, Medicare and

Medicaid health benefits programs by filing claims and obtaining payments through the United States mail for physician's services when, in fact, Ramos was not a legally licensed physician. In 1981, Ramos allegedly fraudulently obtained a license from the State of Florida to practice as a physician. Thereafter, Ramos practiced as an obstetrics and gynecology (OB/GYN) physician in the Marianna, FL area until approximately 1997. The criminal forfeiture count alleged that all Ramos' assets, which are traceable to the proceeds of this health care fraud scheme, estimated to be at least \$3,496,293, are subject to forfeiture to the United States. The Pensacola POD conducted the investigation with the FBI and the Department of Veterans Affairs.

#### **Kickbacks**

George Elkins, Smithtown, NY, president of Sigma Metals, Incorporated (Sigma), Deer Park, NY, pled guilty to conspiring to pay kickbacks. An investigation disclosed that Elkins conspired with Gino Garilli, former purchasing manager of Kaman Aerospace Corporation (Kaman), Bloomfield, CT, to make kickback payments in return for bidding and pricing information. Sigma provides raw materials such as aluminum and titanium to DoD prime contractors, including Kaman. Garilli provided Elkins with the pricing information he

needed in order to be low bidder on Kaman subcontracts. In return, Elkins made a 5 percent cash kickback payment to Garilli and was awarded numerous subcontracts. Between 1995 and 1998, Elkins made cash payments totaling \$15,000 to Garilli. The New York RA conducted the investigation jointly with the Internal Revenue Service (IRS).

### **Theft**

Wanda J. McClain, Carolyn Deruso and Lelani Deruso pled "no contest" to one count each of grand theft and computer access and fraud. In December 1999, a complaint charged them with one count each of grand theft, grand theft of personal property, receiving stolen property, computer access and fraud, and money laundering for their involvement with the illegal diversion of monies from Superior Bank Card Services (SBCS), Woodland Hills, CA. Carolyn Deruso, a DoD employee, recruited her co-worker, McClain, to participate in a scheme to divert money from, a credit card processing company. McClain used her personal bank account to receive over \$31,000 from SBCS, which processes point of sale credit card transactions for retail merchants and issues verification numbers allowing a point of sale to be completed. Subsequently, Carolyn Deruso recruited her daughter, Lelani Deruso, who at the

time was employed by the Office of the Comptroller, Department of the Treasury, and used the daughter's personal bank account in an attempt to receive an additional \$28,000 from SBCS. The Woodland Hills RA conducted the investigation with the U.S. Secret Service.



### **Kickbacks**

Cary Gordon Byron, Jacksonville, FL, former senior port engineer for Bay Ship, Englewood Cliffs, NJ, pled guilty in Jacksonville, FL, to accepting kickbacks and related charges. A 3-1/2 year undercover investigation into fraud and corruption within the maritime industry resulted in Byron being charged in New Orleans, LA; Mobile, AL; Beaumont, TX, and Jacksonville, FL. Bay Ship had multiple contracts, valued in excess of \$200 million, with the DoD Military Sealift Command (MSC) to provide operational and technical support in the operation and maintenance of several U.S. Navy ships. Byron accepted kickbacks in return for influencing the award of contracts and providing favorable treatment to outside contractors. The Orlando RA conducted

the investigation with the FBI, the IRS and the NCIS, in addition to audit assistance from the Defense Contract Audit Agency (DCAA).

### **Wire Fraud**

Herbert D. Dockery, former branch manager of disability management services, Crawford and Company, Norfolk, VA, pled guilty to one count each of wire fraud and mail fraud. An investigation disclosed Dockery directed and implemented various schemes to submit false claims to the Department of Labor (DOL) Office of Workers' Compensation Program (OWCP), Newport News Shipbuilding (a top 100 DoD contractor), and various other commercial entities. Through the DOL OWCP, Dockery's office provided vocational rehabilitation and medical case management services to DoD civilian and contractor employees, as well as employees of other U.S. Government agencies and commercial entities. Dockery had a compensation agreement with Crawford and Company wherein the company paid him a 40 percent commission on the net profits of his office, which he sought to maximize through the submission of false claims. Atlanta based Crawford and Company is a worldwide insurance services firm that provides claims management, disability management, risk management, loss prevention and long-term care services to insurance

companies, self-insured corporations and Government entities in more than 700 cities, in 51 countries. The Norfolk RA conducted the investigation with the DOL and with audit assistance from the DCAA.

### **Theft**

Lloyd G. Paige, Newark, DE, pled guilty to one count of theft of Government property. Paige, a material coordinator for AMTRAK, was authorized as a "screener" to take possession of DoD surplus property from a Defense Reutilization and Marketing Office for use at AMTRAK. An investigation determined Paige signed for and took personal possession of screened property, removing the property from AMTRAK premises and taking it to his residence. The Northeast Field Office (FO) conducted the investigation jointly with the OIG, AMTRAK.

### **False Statements**

Shirley A. Emerson, Rome, NY, pled guilty to one count of making a false statement to obtain Federal worker's compensation benefits. Emerson was receiving worker's compensation benefits from the DOL as a result of a back injury sustained while employed by the U.S. Army at Fort Drum, NY. While receiving worker's compensation benefits, Emerson was required to report to the DOL any employment from which she received a salary, wages,

commissions and/or other payments. Emerson submitted a false statement to the DOL claiming she was not employed when, in fact, she actually worked as a machine operator at Harding Manufacturing Corporation, Rome, NY, and as an independent contractor for the Rome Sentinel Company, Rome, NY, and Utica Observer-Dispatch, Utica, NY. The Syracuse RA conducted the investigation with the DOL.

### **False Statements**

Dennis J. Girard, former police officer for the Department of Veterans Affairs and member of the Vermont Army National Guard, pled guilty in U. S. District Court, Brattleboro, VT, to making false statements. Girard falsely stated on a VA health benefits registration form that he was married to Dorothy Ryea when, in fact, he was not. The falsification allowed Ryea to obtain health care benefits to which she was not entitled. Girard also falsified this information on documents provided to the Vermont Army National Guard; however, no medical benefits had been provided under that program. Under Girard's plea agreement, one count of theft of Government property was dismissed since all the property in question was recovered. The Hartford RA conducted the investigation with the Department of Veterans Affairs.

### **False Claims**

Walter Anthony Adams, a general supply specialist for the Defense Logistics Information Service, Battle Creek, MI, pled guilty to one count of making a false claim against the United States. An investigation disclosed Adams had submitted a false claim for reimbursement of moving expenses in connection with his relocation from Columbus, OH, to Battle Creek, MI. Specifically, Adams claimed his lawful wife and children accompanied him on various dates from May 1998 to August 1998 during his permanent change of station relocation, thereby entitling him to a larger per diem or daily living expense reimbursement. It was determined Adams was not accompanied by his wife and children on many dates listed in his claim. Adams further falsely claimed he was paying rent and breach of lease payments on an apartment in Ohio. The loss to the DoD exceeds \$10,000. The Chicago POD conducted the investigation with the DLA Criminal Investigations Activity.

### **False Claims**

Stephen Scott McLemore pled guilty to one count of filing false claims with the U.S. Government. McLemore, doing business as Southern Pharmaceutical Consultant and Southern Pharmaceutical Corporation, a durable medical equipment supplier in Co-

lumbus, MS, supplied a physician with prescribed inhalant medication for patients then billed TRICARE and Medicare for a different inhalant medication with a higher reimbursement rate. The Nashville POD conducted the investigation with the FBI and the Department of Health and Human Services (HHS).

### **Bribery**

Ronald Luna, former project engineer for the Directorate of Public Works and Logistics Division, Fort Bliss Army Base, El Paso, TX, was convicted of bribery and making false claims against the United States. On numerous occasions in April 1999, Luna demanded and accepted cash and checks from a Government contractor, King's Aire, El Paso, TX, in return for being influenced in the official performance of his duties as a project engineer at Fort Bliss. Luna also falsified delivery orders with King's Aire increasing the value of the delivery orders while allowing the submission of invoices that were inflated by over \$100,000. The Albuquerque POD conducted the investigation jointly with the FBI and the USACIDC.

## **Sentences**

### **Conversion of Money**

William Gallegos, Fontana, CA, was sentenced to 4 months home detention, 3 years probation, and ordered to pay restitution of \$25,000.

Gallegos previously pled guilty to conversion of money by an employee of the United States. Gallegos was formerly employed by the U.S. Army Corps of Engineers, Los Angeles District, as the resident engineer on the Santa Ana River Mainstem Project, a flood control project funded jointly by the Federal and local county governments. Gallegos used his authority to cause contractor payments of \$25,000 to be diverted to himself. The Western FO conducted the investigation.

### **Income Tax Violations**

Peter Simonelli, former president of Eastford Tool and Die Company, Incorporated (Eastford), Woodstock, CT, was sentenced to 30 months incarceration (followed by 3 years of supervised release), a \$500,000 fine and a \$250 special assessment for his conviction on income tax violations. In addition, Simonelli was ordered to pay \$13,109 to cover prosecution costs. Eastford was a supplier of tools and dies to Pratt & Whitney Aircraft, which manufactures jet engines for military and commercial use. An investigation determined that Simonelli withdrew over \$1 million from Eastford that he used for personal expenditures, then failed to report that additional income on his income tax return. The Hartford RA conducted the investigation with the IRS.

### **Bribery**

Oscar Fernandez, San Antonio, TX, was sentenced to 1 year of supervised probation, a \$100 special assessment and ordered to participate in a mental health program. Fernandez previously pled guilty to one count of bribery. Fernandez, a DoD employee at the Defense Megacenters, Kelly AFB, San Antonio, TX, was tasked to work on a source evaluation committee for a \$5 million contract. The Rothe Development, Incorporated (Rothe), a DoD contractor, bid on the contract. An investigation disclosed that Fernandez solicited a bribe from a Rothe employee in exchange for a favorable recommendation to award the contract to Rothe. During the investigation, Fernandez accepted a bribe from a Government undercover agent posing as a Rothe official. The San Antonio POD conducted the investigation jointly with the Air Force Office of Special Investigation (AFOSI).

### **Adulteration**

Joseph J. Coyle, former supervisor at Bauer Meat Company (Bauer), Ocala, FL, was sentenced to 2 years of probation. He previously pled guilty to one count of adulteration and misbranding. Coyle and others at Bauer participated in a scheme to provide nonconforming meat products to the DoD and other customers. The scheme included tampering

with meat samples to make them appear to meet military specifications prior to being inspected by the U.S. Department of Agriculture (USDA). The Orlando RA conducted the investigation with the USDA.

### **Kickbacks**

Johnny W. Bowman, president, J.W. Bowman, Incorporated, was sentenced in U.S. District Court, San Diego, CA, to 10 months confinement, 3 years probation, a \$9,000 fine and a \$100 special assessment. Bowman previously pled guilty to paying kickbacks to Loyd Dean Stanley, a contract administrator for Pacific Ship Repair and Fabrication, Incorporated, with regard to repairs of U.S. Navy ships. An investigation determined subcontractors working on the San Diego waterfront were paying kickbacks to Stanley in order to receive work. Seven other individuals or entities have previously entered guilty pleas related to this investigation and are awaiting sentencing. The San Diego RA conducted the investigation with the FBI and the NCIS.

### **Corruption**

The following sentences are the result of a 4-year undercover investigation into the maritime industry that identified widespread corruption in the repair and maintenance of Government ships in the DoD MSC fleet and the Department of Transportation (DOT)

Maritime Administration (MARAD) fleet:

- Warren Hilton, a surveyor for the MARAD, Beaumont, TX, was sentenced to 4 months in prison, 4 months home detention, 1 year of supervised release, to pay \$7,461 in restitution and a \$100 special assessment fee. This action follows a guilty plea by Hilton to one count of bribery in connection with a DoD contract. Hilton received a variety of merchandise from a MARAD contractor, CBH Services, Orange, TX. The items included a large screen television, a VCR, a power washer, a computer and other items having an aggregate value exceeding \$16,000. The costs of these items were then concealed in false invoices submitted by CBH to the Government. The Houston RA conducted the investigation with the FBI, the NCIS and the DOT.

- Joseph W. LeClair III, owner of Janco Ship Repair, Inc., Jacksonville, FL, was sentenced in U.S. District Court, Jacksonville, FL, to 6 months home detention, 3 years probation, a \$1,500 fine and a \$100 special assessment for paying kickbacks. LeClair was also sentenced in U.S. District Court, Norfolk, VA, to 6 months home detention, 3 years probation, a \$1,500 fine and a \$100 special assessment for bribery. The sentences will run concurrently. Janco Ship Repair was sentenced to a \$1,500 fine and a \$200 spe-

cial assessment for paying kickbacks. Janco Ship Repair was a subcontractor to Bay Ship, Englewood, NJ, and performed repairs aboard MSC ships. Bay Ship had multiple contracts, valued in excess of \$200 million, with MSC and provided technical support to operate and maintain eight MSC ships. LeClair and Janco Ship Repair paid kickbacks and bribes to Cary Gordon Byron, senior port engineer, and Robert Collins, port engineer, Bay Ship, in return for favorable treatment related to the subcontracts. The Orlando RA conducted the investigation with the FBI, the IRS and the NCIS, with audit assistance from the DCAA.

### **Health Care**

Vivekanand Rawana, former owner of Clinical Diagnostics, Incorporated (CDI), North Haven, CT, was sentenced to 5 years probation, ordered to pay \$51,821.72 restitution, a \$100 special assessment, and to obtain mental health counseling. He previously pled guilty to mail fraud and subscribing to a false income tax return. The CDI provided blood analysis for medical clinics and then billed private insurance companies, Medicare, Medicaid and TRICARE for these services. Sorojuni Rawana, wife of Vivekanand Rawana, embezzled \$51,816.73 in Medicare checks made payable to her former employer, Dr. Steven Castracane, then con-



verted the checks to her own use, primarily through depositing them into the account of her ex-husband, co-defendant Vivekanand Rawana. Vivekanand Rawana routinely endorsed the checks prior to deposit. Sorojuni Rawana also diverted approximately \$15,703 in cash receipts intended for Castracane. The Hartford RA conducted the investigation with the FBI, the IRS, the U.S. Postal Inspection Service (USPIS) and the HHS, in conjunction with the Connecticut Health Care Task Force.

### Health Care

Deborah Jeffries-Glasgow, the former office manager of Consultants in Nutritional Services, Incorporated (CNS), Norfolk, VA, was sentenced to 6 months home detention, 5 years probation, ordered to pay \$109,437.05 restitution and a \$100 special assessment fee. Jeffries-Glasgow previously pled guilty to conspiring to commit health care fraud. An investigation disclosed that Jeffries-Glasgow and co-conspirators submitted numerous fraudulent health care claim forms to TRICARE (formerly the Civilian Health and Medical Program of the Uniformed Services), Medicare, and TRIGON insurance company that falsely depicted the provider of services and disguised the actual services furnished. The CNS offered nutritional counseling and weight loss management to

its customers, services that are not covered benefits under the TRICARE program. The aggregate loss was \$109,437. The Norfolk RA conducted the investigation with the FBI, the HHS and the TRIGON Financial Investigations Unit.

### Health Care

Three subsidiaries of National Medical Care (NMC), the principal dialysis subsidiary of Fresenius Medical Care North America (Fresenius), headquartered in Lexington, MA, pled guilty to three separate criminal conspiracies and were fined a total of \$101 million. They included NMC Homecare, Inc., LifeChem, Inc., and NMC Medical Products, Inc. The three subsidiaries will pay criminal fines of \$49.3 million, \$36.6 million, and \$15.2 million, respectively. On January 19, 2000, a civil settlement was reached with Fresenius on these and related matters that included Fresenius' agreement to pay the United States \$385 million. Both the civil settlement and the criminal fines entered in this case are the largest ever recovered by the United States in a health care fraud investigation that uncovered conspiracy, kickbacks and medically unnecessary blood tests. Fresenius is the corporate result of an October 1996 reorganization of Fresenius AG, a German firm, and W.G. Grace & Co., NMC's then parent company. Four ex-

ecutives charged in connection with this investigation are awaiting sentencing or trial. The Boston RA conducted the investigation with the FBI, the HHS and the DOL.



### Bank Fraud

David M. Mitchell, co-owner and president of Campbell M. Industries, Incorporated (CMI), Stockton, CA, was sentenced to 33 months confinement, 36 months supervised probation on release, to pay restitution of \$198,000 to the Union Safe Deposit Bank, Stockton, CA, and a \$100 special assessment to the Department of Justice for bank fraud. In 1998, Mitchell was sentenced to 42 months confinement for his conviction on 21 counts of wire fraud and 19 counts of mail fraud in connection with submitting false claims to the DoD. Mitchell will serve 21 months of the new conviction concurrently with his previous conviction, effectively adding 12 months to the earlier 42-month sentence. An investigation disclosed Mitchell illegally obtained a \$200,000 tax refund check due to Trillium Digital Systems (Trillium), Inc., Los Angeles, CA, and deposited the check into CMI's bank account. When

questioned by bank officials about the check, Mitchell presented fraudulent invoices making it appear that the check was in exchange for the sale of surplus aircraft parts to Trillium. Trillium officials denied ever doing business with CMI or Mitchell. Trillium is a software and Internet engineering firm and does not sell or use surplus aircraft parts. Union Safe Deposit Bank, a federally insured bank, was defrauded out of \$195,000 by Mitchell's scheme. The Sacramento POD conducted the investigation.

### **Obstruction**

Bradford Dyeing Association, Incorporated (Bradford), Westerly, RI, was sentenced to a \$75,000 fine and 2 years probation, subject to mandatory compliance with the DLA Compliance Program. Bradford previously pled guilty to obstructing an investigation conducted by a Federal grand jury sitting in the District of Puerto Rico. This plea and sentence are the result of an investigation of Isratex, Incorporated (Isratex), and Isratex of Puerto Rico, Incorporated (Isratex-PR), a wholly-owned subsidiary. Isratex and Isratex-PR manufactured uniforms and other military apparel under contracts awarded by the Defense Personnel Support Center (currently known as the Defense Supply Center Philadelphia, PA), a DoD agency. Bradford is a textile finisher

that supplied cloth to Isratex and other Isratex related entities for use on DoD contracts. The investigation was obstructed when documents at Bradford were destroyed, or caused to be destroyed, that were to be produced in response to a subpoena issued by a grand jury in the District of Puerto Rico. The New York RA conducted the investigation with audit assistance from the DCAA.

## **Civil Settlements**

### **False Certification**

A \$600,000 civil settlement agreement was reached between Honeywell International, Incorporated (Honeywell), Torrance, CA, and the U.S. Government. An investigation disclosed that Allied Signal Ocean Systems (Allied), Teterboro, NJ, a former Honeywell business unit, submitted a false flow-down certification that failed to disclose payments made to a Greek sales representative. Allied subcontracted with Sikorski Aircraft Division, United Technologies Corporation, to provide dipping sonars for helicopters supplied under Sikorski's prime contract with the Hellenic Navy of Greece. Sikorski's prime contract was funded through the Government's Foreign Military Financing Program. Allied obtained the 1992 subcontract, in part, through the marketing efforts of its Greek sales representative, who was paid a commission that Allied failed

to disclose. The Mid-Atlantic FO conducted the investigation with the FBI.

### **Health Care**

A previously sealed civil complaint against City Ambulance of Alabama, Inc., Montgomery, AL, and its owners, was filed along with a settlement agreement. In addition to City Ambulance, those charged include Price Darrell Acord and Virginia Acord, managers and co-owners of the company; Peggy Acord Graydon and Ricky D. Acord, salaried employees. Under terms of the settlement, the defendants will pay \$850,000 to the United States to resolve charges they violated the False Claims Act by submitting fraudulent claims to the Government. In addition, City Ambulance (a Medicare and TRICARE provider), Darrel Acord, Virginia Acord and Ricky Acord will be permanently debarred from contracting with any Government agency, while Peggy Graydon will be debarred for 5 years. From January 1991 through at least December 1995, City Ambulance operated a scheme in which claims were submitted to the Government for ambulance transportation of patients via advanced life support ambulance service. The patients being transported were ambulatory and did not qualify for this service. The Pensacola POD conducted the investigation with the FBI, the HHS and the US-PIS.





*To report suspected criminal activity involving the Department of Defense please contact the nearest Defense Criminal Investigative Service office.*

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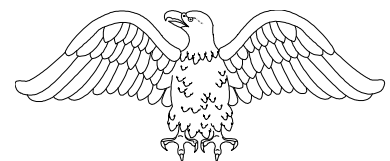
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